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RULES

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1883

Regulations AND By-Laws

— OF THE —

Dakota Penitentiary.

— FOR ITS —

Government and Discipline.

SIOUX FALLS.
KIMBERLEY
SIOUX FALLS
1883.

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Rules and Regulations.

RULE 1.

SEC. 1. The assistants, guards, and all employees must always yield that ready obedience to their superior officers, so essential to secure the beneficial results of effective co-operation and good government.

Sec. 2. It shall be the duty of the assistants and guards to be at the Penitentiary, day and night, and to be vigilant and active in the performance of all duties and services for the safety and security of the prisoners and buildings. They shall refrain from all immoderate and boisterous conduct, conversation or discussion upon any subject, and shall not leave their post of duty on any pretext, without being relieved.

Sec. 3. Ordinary leave of absence at evenings extend only to ten o'clock and thirty minutes; those desirous of being absent after that hour must so state it at the time of making their request.

Leave of absence during working hours will not be granted for social or private business purposes, and will only be allowed in case of sickness or other urgent necessity.

Sec. 4. Officers and employees "on leave of absence" must report themselves at the prison punctually at the time at which their leave expires, as the executive man-

agement of a prison must be precise, rigid and undeviating, subject to no confusion, or irregularity and hence officers and employees should be punctual in their attendance and faithful in the discharge of their assigned duties.

Sec. 5. No officer or guard is allowed to leave the prison premises, without first obtaining permission from the Warden or Deputy.

Sec. 6. On the Sabbath *all* the assistants and guards shall be present at turning out time, and at the Chapel service.

Sec. 7. *No officer, guard or employee, whether absent or present, shall hold conversation with any person or persons not connected with the Prison, about the prisoners or their management.*

Sec. 8. They will have no conversation whatever at the table while taking their meals, or at any other time, when a prisoner or prisoners are present, either in regard to the prison, the prisoners, or their own or others' sphere of duty, and it is expected, that they will not use as topics of conversation, at *any time*, the trials or incidents that occur in the performance of their several duties.

Sec. 9. *All levity, trifling or long conversations are expressly prohibited during the hours of duty, anywhere about the prison, may it be, Call-Hall, Kitchen, Guard-Hall, Yards or any other place.*

Sec. 10. The officers will freely and fully inform the Warden of any complaint among the prisoners, of the quality and quantity of food, and of everything in their department, or coming under their observation, which may in the least affect the discipline, security or health of the prisoners, the pecuniary interests of the Penitentiary, or in any way its general prosperity and usefulness.

They will carefully watch the mental condition of the prisoners under their charge, as indicated by their

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outward conduct, and will promptly report any change, which they may have observed, particularly any approach to moroseness or despondency.

Sec. 11. No officer or employee shall receive a gift from any prisoner, not though it be trivial and valueless, nor suffer a prisoner to perform any personal offices or other work for them, without permisson from the Warden.

Sec. 12. No officer or employee shall give *anythiny whatever* to the prisoners as a gift, or buy or sell anything for them, and in no case shall prisoners be transferred from one department of labor to another, or be taken from their cells to another than their usual labor—not even temporarily — except with permission from the Warden or Deputy.

Sec. 13. No officer or employee shall chat with prisoners, convey to them newspapers, current news, any facts about other prisoners, about the officers, the prison, the courts or the governments, nor shall they listen to their history, or the history of other's crimes and misfortunes, shall not pass books or other means of information from one cell or prisoner to another, or from any prisoner to any officer of the prison except the Warden or Deputy, nor to any person whatever, unless with permission of the Warden.

Sec. 14. They shall confine their conversation with prisoners to the narrowest limit, consistent with giving them proper instruction in their labor, in the rules of the Prison in any educational branches, which may be introduced by the Warden, and in administering of moral and religious influences and inducements to a better life, *when directed or permitted to do so by him.*

Sec. 15. The officers will see, that the prisoners do not work while in their cells without permission of the Warden.

Sec. 16. The officers shall require and receive from the prisoners a uniform, humble deportment and instant silent obedience.

Sec. 17. The officers shall not strike, kick, push or harshly treat any prisoner, except in self defence; shall not deprive them of food or bedding, except by direction of the Warden, nor enforce any other penalties or punishments, however slight, without reporting the fact to him, and it is enjoined upon the officers to treat the prisoners with the utmost kindness of manner, evenness of temper, and impartially, yet with energetic, unyielding firmness and *never* with the *slightest approach* common to familiarity.

Sec. 18. The officers and employees shall maintain towards each other always, when in the presence of prisoners, the deportment and language due from well-bred people to each other. If anything of asperity, jealousy or dislike exists between them, it is never to be manifested in the presence of prisoners, nor the slightest approach to it; they are to keep in mind, that their habits, conversation and general bearing, they are to set before the prisoners, an example of high toned manliness.

Sec. 19. Every officer must discountenance all tale-bearing among the prisoners and on no account whatever, circulate any report prejudicial to the standing of an officer upon the authority of a convict.

Sec. 20. No officer or guard, who has been discharged for fault or neglect of duty is to be allowed to come about the prison or allowed to go inside the gates.

Sec. 21. Any officer, who shall sleep, while at his post or in charge of any other duty, or shall neglect the same, or who shall behave improperly, shall be discharged forthwith.

Sec. 22. Spiritous liquors shall in no case be brought to, or used upon the prison premises by any officer or

employee, except for medical purposes, with permission from the Warden.

Sec. 23. Assistants, guards and employees, desirous of vacating their situations, will give one month's notice to the Warden in writing.

DEPUTY WARDEN.

Sec. 1. The Deputy Warden is the principal assistant to the Warden, and it shall be his duty to be in constant attendance at the Prison, and under the directions of the Warden to see, that the rules and regulations are enforced and complied with and to aid the Warden in enforcing *a kind and human, but strict and wholesome discipline.*

Sec. 2. He shall frequently examine all the cells, doors and locks thereof, to see that they are in good order and not injured and whenever he discovers anything wrong, he shall note the number of the cell with the offence committed and report the same to the Warden immediately.

Sec. 3. He shall spend the entire day in a general supervision of the officers, employees and prisoners, and shall direct them in their respective duties and labors; shall receive reports from the officers of all cases of disobedience or violation of the rules by any person connected with the Prison and report the same to the Warden, in whose absence the Deputy has the power and authority conferred upon the Warden, so far as relates to the discipline and to the safe keeping of prisoners, and shall be obeyed and respected accordingly.

Sec. 4. He shall keep a book in which shall be entered a record of all infractions of the discipline with the name of the prisoner offending and the punishments

inflicted therefor, which record shall be submitted to the Warden daily.

Sec. 5. He shall inspect the arms of the Guards at least once each week and report any officer who may be found deficient in ammunition or whose guns are not in perfect order.

Sec. 6. He shall report to the Warden before nine o'clock every morning the names of any prisoners remaining in their cells, with a brief statement of their complaint and conditions, and the number of the cells opposite each name; he shall attend upon the Physician at his regular visits to the prison and shall take him to see every prisoner, who may be sick, or complaining, in the cells or hospital and shall attend personally to the directions and prescriptions of the Physician and see that they are duly observed and administered.

Sec. 7. He shall attend to the clothing of the convicts and see, that it is whole, properly changed, and in order.

Sec. 8. He shall, morning, noon, and night ascertain, whether any convict is missing, before he dismisses the officers from the Hall or gives the signal to the Guards on the walls.

Sec. 9. He shall see that Ladies and Gentlemen visiting the Prison are treated with attention and politeness and that they are admitted and conducted through the several Departments at all proper times.

Sec. 10. He shall not inflict punishment upon any prisoner, unless directed to do so by the Warden, or in case the sustaining of the discipline and safety of the Prison should seem to demand it, in the absence of the Warden from the Prison.

Sec. 11. He shall frequently go into the Cell Hall during the evening and see that all is right.

Sec. 12. He will be held responsible to the Warden,

that his orders and directions are strictly and promptly observed and to this end he must always be present at the Penitentiary by day and by night (unless permitted to be absent by the Warden) that he may be able during the evening and night, to see that all is safe and that the assistants and guards on night duty are vigilant, faithful and never absent from their post.

GATE KEEPER.

Sec. 1. The Gate Keeper shall have charge of the Guard-hall and Guard room, also of the doors opening from main entrance to the Guard-hall and from Guard-hall to Cell-hall and Chapel.

Sec. 2. He shall be very careful to guard against surprise.

Sec. 3. He must receive all permits for admission of visitors, enter their names upon the register, receive all fees, and account to the Warden for the same each day.

Sec. 4. He must report to the Warden any officer, who is guilty of any improprieties in the Guard-room.

PHYSICIAN.

Sec. 1. It shall be the duty of the Physician to visit the Penitentiary as often as required by the Warden, or as in the judgment of the Physician the necessities of the patient may require, and personally examine every sick and complaining prisoner and shall prescribe such medical treatment as their case may demand.

Sec. 2. He shall keep a book, called the Hospital Register, in which shall be entered the names of all

prisoners sick and complaining, requiring medical treatment, with their disease, and his prescription therefor.

Sec. 3. In case of the death of a prisoner, he shall record the nature of the complaint and all circumstances connected therewith, that he may deem proper or necessary.

Sec. 4. He shall frequently consult with the Warden in relation to the health and comfort of the inmates, especially the sick, to the treatment and care of the same and such things as pertain to a good and healthy condition of all the prisoners.

Sec. 5. He shall order such diet to be prepared from the prison stores, as in his judgment the condition of the sick may require, and direct as to its preparation and use.

Sec. 6. He shall at the close of each year make out and furnish the Board of Directors a report or statement, showing the extent and nature of the sickness, which has prevailed, and the deaths that have occurred during the year, with such remarks in relation to the condition and treatment of the sick, as he may deem necessary or expedient.

Sec. 7. He shall conform to Sections 7, 8, 9, 10, 11, 12, 13, 14, 16, 17, 18, 19, and 22 of the general rules and regulations of the Penitentiary in so far as they are applicable to his duties.

Officers and Guards.

Sec. 1. Officers and guards will not leave their shops or other posts of duty on any pretext, without being relieved.

Sec. 2. They will not suffer any prisoner to pass the prescribed limits of his work, except in charge of a prop-

er officer, and it shall be their duty to keep their arms and weapons clean and in order, ready at all times for use, and they are constantly to keep in mind that it is required of them to prevent any prisoner from making his escape, *at all hazards.*

Sec. 3. Officers and Guards working convicts outside the prison walls will in no event allow a prisoner to approach near enough to prevent an immediate use of his gun, nor will guards be allowed to carry or have pistols or other arms, within the walls of the Prison, unless especially permitted by the Warden.

Sec. 4. They shall keep a list of men under their charge, with the number of the cell each prisoner occupies opposite his name; and upon locking up, morning, noon and night, shall note the absence of any, and immediately report the same to the Warden or Deputy.

Sec. 5. They shall march their men to and from the cells in close order, taking the lock step, and shall use their utmost endeavors to enforce non-intercourse and obedience to all the rules and regulations necessary for their government.

Sec. 6. They shall not allow the prisoners to make any inquiries relative to any subject not immediately connected with their duty, employments or wants, nor leave there work without permission, or to speak to or gaze at visitors, but see that they are constantly employed, and that they labor diligently, in order and in silence.

Sec. 7. They shall instruct the prisoners in their labor and in the rules necessary for their government, explaining to them, repeatedly, if necessary, the meaning of signals, how to conduct themselves in the "line," how to enter the "hall," the "chapel," and generally everything that shall contribute to make them humble, respectful, obedient, exclusive and shall admonish them upon the least appearance of insubordination,

and report them for correction to the Warden or Deputy, whenever they shall refuse to obey orders, or shall neglect their duty.

Sec. 8. They shall not, while on duty in the Shops, Hall, Yard, on the wall, or at any other part, sit down, read, or write (unless making necessary entries) but shall be constantly on their feet, and strictly and vigilantly observant of the prisonery; and not allow their attention to be drawn off from the object of their charge *even for a moment, but shall be in readiness at all times for any exigency.*

Sec. 9. Overseers of shops and other assistants who have prisoners under their immediate care, will see that each prisoner keeps his cell in good order, that their clothing is whole and clean, that any sores or wounds on them are *promptly* and properly attended to, that they are frequently bathed, their hair kept at the precribed length and regularly combed, that they have opportunity to see the physician at his visits to the prison, and, generally, the officer in charge of prisoners is to take paternal care of them, and will be held responsible to the warden for their condition, and that the rules of the prison are duly observed by them.

Sec. 10. It shall be the duty of the assistants and guards to perform night tours, Sunday relief, dog watch, and guard-hall duties, as they may be directed by the warden.

Sec. 11. It shall be the duty of the guard, or assistants, having charge of the "Hall," while the prisoners are in their cells, both at meal time and during the night, to keep moving around the block of cells and upon the galleries, with muffled feet, in a silent manner, that he may be able to detect any attempt to communicate between the prisoners, any unnecessary noise or other improper conduct. *And it is again strictly enjoined upon him not to hold the least conversation with the prisoners or to suffer*

them to speak to him, except to make known their immediate wants, and to use his utmost exertions to secure obedience to the rules of the "Hall," and to report to the warden or deputy any infraction of them by the prisoners, while in their cells.

Sec. 12. The officer on night duty will frequently survey from the windows, the prison yard, containing the workshops, water tank, stables, etc., to discover any signs of *fire*, and upon the slightest discovery of that nature will alarm all the officers by ringing their bells.

Sec. 13. The guards or watchmen on the walls, will be constantly on the alert; will carry their weapon at the shoulder, and will be held responsible that no person passes in or out of the gates except in charge of officers and employees of the prison, unless the attention of the deputy be directed to them. They will give the alarm at once, whenever any other than the usual yard prisoners make their appearance not in charge of an officer, or any other unusual occurrence.

Sec. 14. They will prevent escapes at *all hazards.*

Outside Night Watchman.

The outside watchman will have charge of and attend to the fires of the boiler, and see that the same is always well regulated; he will inspect the yards and make his regular rounds about the buildings; he will be on hand promptly at 6 o'clock p. m., and receive such instructions as may be deemed necessary, and will not leave his post until relieved each morning. In case of fire or other disturbance he shall at once notify the hall watchman, and guard-hall officer.

Rules for Prisoners.

Sec. 1. The prisoners are to labor faithfully and diligently and obey the rules and all orders promptly.

Sec. 2. They are to arise in the morning at the ringing of the gong, wash and dress themselves, sweep their cells, make their beds, place everything in their cells in good order, and be ready to receive their breakfast.

Sec. 3. They are never to communicate with their fellow prisoners, either by speaking, writing by signs, signals or otherwise.

Sec. 4. Each prisoner as he enters his cell, must close the door, without slamming, and must stand in that position, holding the door, until the officer locks the same.

Sec. 5. No prisoner is to willfully or carelessly injure his work, tools, wearing apparel, bedding or anything belonging to or about the prison, nor will any prisoner be allowed to mark, injure or in any way deface the walls or any part of his cell.

Sec. 6. The prisoners shall always march in the lock-step, and in such order as may be designated by the officer in charge. While marching, as well as while in their cells, and at all other times, all unnecessary noise must be avoided.

Sec. 7. No prisoner will be allowed to receive or transmit any letters or papers except under the inspection of the warden, unless addressed to the chairman of the Board of Directors.

Prisoners, by good behavior, will be allowed to write every four weeks, and receive all letters sent them through the warden's office.

Sec. 8. No prisoner is allowed to spit on the wall or floor of his cell, or any other part of the prison, and it is expected from every prisoner, that he will not use any

tobacco while in chapel, at any time and under all circumstances.

Sec. 9. No profane or disrespectful language will be allowed by any prisoner, when addressing an officer, guard or any person connected with the prison or otherwise, and in all cases, they will be required to use the surname, adding the Mr.

In all cases speaking to or of a prisoner, the surname will be used.

Sec. 10. The prisoners will always remove their caps, when addressing an officer or any employee.

Sec. 11. Every prisoner, who has not previously gone to bed, must do so immediately at the striking of the gong; and from that time profound silence must be observed, until the sound of the gong in the morning.

Sec. 12. No prisoner is allowed to sleep with his clothes on.

Sec. 13. Any prisoner, who wishes to speak to the warden, will notify him through his officer.

Sec. 14. No prisoner will be allowed to take from the shops, or yards, to their cells, any paper, pencils, tools, material or lumber of any description, unless by the express consent of the Warden or Deputy.

Sec. 15. The prisoners shall render to their overseer or foreman or any officer of the prison a cheerful and perfect obedience, and if they consider themselves unjustly and overbearingly treated, they are at liberty to complain to the warden.

The prisoners must well understand that all rules of the prison will be enforced at any and every cost, but they can make it so much easier and more pleasant for themselves, as well as for the officers, when they, right in starting, show their *good will*, by learning the rules thoroughly, and then always yield a cheerful and perfect obedience; and when they do this, they will insure to them-

selves a kind and inconsiderate treatment, and many immunities and favor, which would otherwise be withheld.

A good behavior and diligent work will also insure them, what is called a "good time," which will lessen their sentences materially.

The length of "good time" each prisoner can make, will be explained to him.

Examined and approved this 14th day of Feb. 1883.

W. L. DOW,
R. H. BOOTH,
THOS. H. BROWN. } Directors.

Examined and approved,
N. G. ORDWAY,
Governor.

AN ACT To provide for the punishment of convicts for attempting to escape from Territorial Prisons:

Any person committed to a territorial prison who shall escape from or break said territorial prison with intent to escape therefrom, or who shall attempt by force or violence, or in any other manner to escape from said prison, whether such escape be effected or not, shall upon conviction thereof, be punished by imprisonment in said prison for a term not exceeding double the term for which he or she was so sentenced, to commence from and after the expiration of his or her former sentence.

Approved March 9, 1883.